



U.S. Department
of Transportation
**Federal Aviation
Administration**

Aviation Safety

800 Independence Ave
Washington, DC 20591

August 30, 2021

Exemption No. 18361A
Regulatory Docket No. FAA-2016-6762

Mr. Craig A. Ciaffoni
Vice President, Air Operations
Wiggins Airways, Inc.
1 Garside Way
Manchester, NH 03103

Dear Mr. Ciaffoni:

This letter is to inform you that the Federal Aviation Administration (FAA) has granted your petition to extend Exemption No. 18361. This letter transmits the FAA's decision, explains the FAA's basis, and provides the conditions and limitations of the exemption, including the date the exemption ends.

The Basis for the FAA's Decision

By letter dated July 2, 2021, you petitioned the FAA on behalf of Wiggins Airways, Inc. (Wiggins) for an extension of Exemption No. 18361. That exemption from § 91.203(a) and (b) of Title 14, Code of Federal Regulations (14 CFR) allows Wiggins to operate its aircraft in accordance with 14 CFR Part 135 without airworthiness and registration certificates onboard, and properly displayed in the case of airworthiness certificates, while obtaining replacements.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA's Decision

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register*. The FAA has determined that good cause exists because the requested extension of the exemption would not set a precedent and any delay in acting on this petition would be detrimental to Wiggins.

The FAA has determined that the justification for the issuance of Exemption No. 18361 remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. §§ 106(f), 40113, 44701, and 44807, which the FAA Administrator has delegated to me, I hereby grant Wiggins Airways, Inc. an exemption from 14 CFR § 91.203(a) and (b) to the extent necessary to allow Wiggins to operate its aircraft in accordance with 14 CFR Part 135 without airworthiness and registration certificates onboard, and properly displayed

in the case of airworthiness certificates, while obtaining replacements, subject to the following conditions and limitations.

Conditions and Limitations

1. This exemption is issued for the purpose of preventing cancellation of air carrier flights in situations where an aircraft's airworthiness certificate and/or aircraft's registration certificate are valid, but one or both of those documents is physically unavailable.
2. The privileges of this exemption may be exercised by Wiggins only for temporary replacement of a missing or mutilated airworthiness or registration certificate that is current and in effect and applies only to U.S.-registered aircraft listed in Wiggins' operations specifications.
3. For replacement of an aircraft's airworthiness certificate and registration certificate, Wiggins must develop a comprehensive program that provides for the continued operation of the aircraft by: (1) making appropriate entry in the aircraft logbook when the airworthiness or registration certificate for the aircraft is lost, stolen, or mutilated; (2) ensuring that immediate application is made to the FAA for a replacement certificate; and (3) providing for the operation of the aircraft during the interim period required to receive a replacement certificate from the FAA and install it on the aircraft. This program must be approved by Wiggins' FAA principal maintenance inspector and instructions for its use must be included in the air carrier's manual required by Section 135.21(a). The comprehensive program must contain:
 - a. A requirement that the following statement be entered in the appropriate section of the aircraft logbook before the provisions of this exemption are exercised:

“This aircraft is being operated without an airworthiness or registration certificate, as applicable, under the provisions of Exemption No. 18361A for a period of 3 working days, not including weekends or Federal holidays, following the start of the next business day, beginning:

Time: _____ *Date:* _____”

The signature, title, and station location of the person(s) authorized by Condition and Limitation No. 3(b) below must be affixed to this statement.

- b. The name and contact information of the designated person(s) within Wiggins' maintenance organization authorized to enter the statement outlined in Condition and Limitation No. 3(a) above and the method(s) by which the documents required under Condition and Limitation No. 3 will be transmitted to the affected aircraft.
- c. An arrangement wherein those person(s) within Wiggins' organization responsible for airworthiness and registration certificates will maintain a current

record of the data from the certificates of each aircraft within Wiggins' fleet that may be affected by this exemption. These data must be made readily available to those person(s) within Wiggins' maintenance organization identified in Condition and Limitation No. 3(b) above and must be kept current at all times.

- d. Procedures to ensure that the FAA principal maintenance inspector with responsibility for Wiggins is notified immediately of missing or mutilated certificates and that immediate application is made to the FAA for a replacement certificate, in the case of the airworthiness certificate, or a duplicate certificate, in the case of a registration certificate.
 - e. A description of the specific duties and responsibilities, by job title, for each person who has a role in ensuring or overseeing compliance with the conditions and limitations of this exemption.
4. A copy of this exemption and a copy of the procedures in Wiggins' operations specifications authorizing its use must be carried onboard the aircraft when exercising the privileges of this exemption.
 5. The privileges of this exemption may be exercised only when the affected aircraft is operated totally within the 48 contiguous States of the United States, including the District of Columbia, or during an intrastate operation that does not involve flight through international airspace.

Failure to comply with any of the above conditions and limitations may result in the immediate suspension or rescission of this exemption.

The Effect of the FAA's Decision

The FAA's decision amends Exemption No. 18361 to 18361A and extends the termination date to October 31, 2023, unless sooner superseded or rescinded.

To request an extension or amendment to this exemption, please submit your request by using the Regulatory Docket No. FAA-2016-6762 (<http://www.regulations.gov>). In addition, you should submit your request for extension or amendment no later than 120 days prior to the expiration listed above, or the date you need the amendment, respectively.

Any extension or amendment request must meet the requirements of 14 CFR § 11.81.

Sincerely,

/s/

Robert C. Carty
Deputy Executive Director, Flight Standards Service